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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,478	05/23/2005	Edward M. Scheidt	STSNP54	3948

49691 7590 06/27/2006

IP STRATEGIES
12 1/2 WALL STREET
SUITE I
ASHEVILLE, NC 28801

EXAMINER

ARANI, TAGHI T

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/502,478

Applicant(s)

SCHEIDT ET AL.

Examiner

Taghi T. Arani

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 38-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 38-58 is/are allowed.
- 6) ☒ Claim(s) 59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Taghi T. Arani
Primary Examiner
AU 2131
Taghi T. Arani
6/20/06

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/23/2004.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 38-59 are examined and pending.

Information Disclosure Statement

2. An initialed and dated copy of Applicant's IDS form 1449, submitted 7/23/2004, is attached to the instant Office action.

Drawings

3. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawing filed 07/23/2004 are informal. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 59 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 59 recites the limitation "the encrypted instance of the encryption key" in line 12, "the encrypted key" and "the encrypted profile" in line 13 and "the decrypted user credential" in line 14. There are insufficient antecedent basis for these limitations in the claim.

Allowable Subject Matter

5. Claims 38-58 are allowed over prior art of record.

Examiner's Statement of Reasons for Allowance

6. The following is an examiner's statement of reasons for allowance

Prior art of record singly or in combination does not teach or fairly suggest "generating , by the provider, a token unlock key based at least in part on the derived key" wherein " the derived key " is based at least in part on the salt value (sent by the token) and the password (provided by the user) and " if the first and second challenge data instances are determined to match, then" "unlocking with the token unlock key, by the token, locked first private key stored on the token" as structured in combination with other limitations of the claim 38. The claimed invention provides a multi-factor binding (authentication) mechanism to authenticate a user to use a system and an encrypted data transfer system between the token and the provider.

Dependent claims 39-58 are also allowed by virtue of their dependencies.

None of the prior art of record, either taken by itself or in any combination, would have anticipated or made obvious the invention of the present application at or before the time it was filed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Prior arts made of record, not relied upon:

US patent 6,263,446 to Kausik et al. is directed to method and apparatus for secure distribution of authentication credentials to roaming users.

US 6,845,453 to Scheidt et al. is directed to multiple factor-based user identification and authentication.

US 6,317,834 to Gennaro et al. teaches biometric authentication system with encryption models.

US 5,280,527 to Gullman et al. teaches Biometric token for authorizing access to a host system.

US 6,615, 350 is directed to module authentication and binding extensions.

US 6,041,410 to Hsu et al.

US 6,490,680 to Scheidt et al.

US 6,401,206 to Khan et al.

Vipin Samar, Unified Login with Pluggable authentication modules (PAM), Proceedings of the ACM conference on Computer and communications society, ACM Press, January 1996.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (571) 272-3787. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Taghi T. Arani, Ph.D.
Primary Examiner
Art Unit 2131
6/18/2006